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Attorneys for Defendant Microsoft Corporation

**UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON**

GARY ODOM

Case No. 3:09-CV-230-MO

Plaintiff and Counterclaim  
Defendant,

vs.

MICROSOFT CORPORATION

Defendant and Counterclaim  
Plaintiff.

**DECLARATION OF JOSEPH A.  
MICALLEF IN SUPPORT OF  
DEFENDANT MICROSOFT  
CORPORATION'S OPPOSITION TO  
PLAINTIFF GARY ODOM'S MOTION  
TO STAY**

**DECLARATION OF JOSEPH A. MICALLEF IN SUPPORT OF  
DEFENDANT MICROSOFT CORPORATION'S OPPOSITION TO  
PLAINTIFF GARY ODOM'S MOTION TO STAY**

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I, Joseph A. Micallef, under penalty of perjury, declare as follows:

1. I am a partner with the law firm of Arnold & Porter LLP, counsel for Defendant Microsoft Corporation. I make this declaration in support of Defendant Microsoft Corporation's Opposition to Plaintiff Gary Odom's Motion to Stay, which is filed concurrently with this declaration. Unless otherwise stated herein, I have personal knowledge of the facts set forth below and, if called as a witness, could and would competently testify thereto.

2. Attached hereto as Exhibit A is a true and correct copy of Odom's March 8, 2009 article entitled "Reexamination."

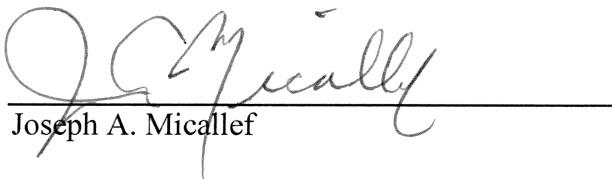
3. Attached hereto as Exhibit B is a true and correct copy of Odom's February 26, 2009 article entitled "Delay."

4. Attached hereto as Exhibit C is a true and correct copy of Odom's May 10, 2009 article entitled "Stayed."

5. Attached hereto as Exhibit D is a true and correct copy of the October 29, 2009 Order Granting Request for Inter Partes Reexamination issued by the Patent and Trademark Office.

6. Pursuant to 28 U.S.C. (section) 1746, I declare under the penalty of perjury that the foregoing is true and correct.

Executed this 16th day of March 2010, at Washington, DC.



Joseph A. Micallef

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